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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,002	01/05/2001	Keith G. Kaan	59.0040	4662

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EXAMINER
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SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/755,002	KAAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kristie Shingles	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 November 2004.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-29 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 23 November 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### *Response to Amendment*

*Applicant has amended claims 1, 10, 12 and 21.  
Claims 1-29 are still pending.*

### *Specification*

1. The proposed specification corrections in conformance with the drawings filed 11/23/2004 have been accepted by the Examiner. The corrections to the specification will not be held in abeyance.

### *Abstract*

2. The objection to the abstract is withdrawn. Nonetheless, applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### *Claim Rejections - 35 USC § 112, second paragraph*

3. Per claim 10, the proposed correction filed 11/23/2004 has been accepted by the Examiner. Therefore the rejection of claim 10 under 35 U.S.C. 112 has been withdrawn.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims **21, 22 and 28** are rejected under 35 U.S.C. 102(e) as being anticipated by *Reichmeyer et al* (USPN 6,286,038).

a. **Per claim 21,** *Reichmeyer et al* teach a computer program product in a computer-readable media for use in a data processing system for managing communication on a network having a reconfigurable router device to accommodate variations in parameters for changing from one network device interface device to another for the router's network connection, the computer program product comprising:

- user interface instructions for generating a user interface including context sensitive windows for user input to setup and select network connections (**col.4 lines 4-43**);
- manager engine instructions for responding to a user selection received via the user interface (**col.4 lines 44-50 and col.5 line 60-col.8 line 17; management**

**processes on the central configuration server and DHCP server comprise instructions for responding to client requests);**

- configuration module instructions for assembling configuring instructions to send to a router (**col.2 line 45-col.3 line 29, col.4 line14-43, col.5 line 39-col.7 line 42 and col.8 line 43-col.9 line 67; DHCP server and central configuration server comprise instructions for generating configuration instructions to transmit to the router);**)
- and module instructions for supplying communications protocols and handling the sending of the configuring instructions to the router (**col.2 line 45-col.3 line 29, col.4 line14-43, col.5 line 39-col.7 line 42 and col.8 line 43-col.9 line 67**), wherein the computer program product is for executing on a host in a first network, the network having a router and a data acquisition device connected thereto, the data acquisition device and the first network host being capable of network communication with one another thereon, and the configuring instructions include instructions for configuring the router and establishing communication between the first network host and the router, wherein the configuring does not disrupt the network communication between the first network host and the data acquisition device on the first network (**Figures 2 and 3, col.3 line 55-col.4 line 50, col.5 line 11-col.8 line 14, col.8 line 43-col.10 line 53 and col.11 line 15-28; router is in communication with central configuration server wherein configuration information is sent from the server to the router which does not disrupt communication between the server, host and other devices**).

b. **Per claim 22, Reichmeyer et al teach the computer program product of claim 21,** wherein the first network host has a predetermined configuration, including parameters defining, a certain identity, and the configuring includes setting, parameters in the router that assign the certain identity to the router, so that the network communication between the first network host and the router is established by the first network host recognizing the router identity (**col.2 lines 45-64, col.3 line 2-col.4 line 50 and col.5 line 11-col.6 line 61**).

c. **Per claim 28, Reichmeyer et al teach the computer program product of claim 22,** wherein the manger engine instructions include instructions for locating a template file responsive to the user selection, and wherein the configuration module instructions include

instructions for assembling the configuring instructions from the template file (**col.3 lines 2-29, col.4 lines 14-50, col.6 line 2-col.7 line 65 and col.10 line 16-col.11 line 28; configuring instructions in the configuration information**).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims **1-10, 12-19, 23-26 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Reichmeyer et al* (USPN 6,286,038) in view of *Guy et al* (USPN 6,298,057).

a. **Per claim 1,** *Reichmeyer et al* teach the system for managing communication on a network having a reconfigurable router device to accommodate variations in parameters for changing from one network interface device to another for the router's network connection, the system comprising: a first network for connecting to a data acquisition device (**Abstract, Figures 2 and 3 and col.4 line 51-col.5 line 59**); a first network host connected to the first network (**Abstract, Figures 2 and 3, col.2 lines 45-64, col.4 line 51-col.5 line 59**); a template file (**col.1 lines 34-44, col.2 line 65-col.3 line 29 and col.5 line 60-col.6 line 42; configuration file**). Yet, *Reichmeyer et al* fail to explicitly teach a router connected to the first network, wherein the router is for connecting to a second network having a number of second network hosts; and a manager program for executing by a processor of the first network host to assemble

first configuring instructions from the template file for configuring the router, wherein network communication is established among the first network host the router and the second network hosts responsive to the configuring, and the configuring does not disrupt communication on the first network between the first network host and the data acquisition device.

However, *Guy et al* disclose routers connected to a LAN and WAN with file servers and central site units present within each network, which manage the communication between the routers and the network without disrupting the connection or communication between the router and the networks (**Figure 1, col.3 lines 49-56, col.4 line 54-col.6 line 44, col.6 line 52-col.7 line 16 and col.15 lines 3-20**). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Reichmeyer et al* and *Guy et al* for the purpose of implementing a router between two networks for communicating from one network to the other, via the router, by configuring the router with instructions per each network's format requirements, protocols, and/or needs.

b. **Claim 12** contains limitations that are substantially equivalent to claim 1 and is therefore rejected under the same basis.

c. **Per claim 2,** *Reichmeyer et al* teach the system of claim 1, wherein the first network host has a predetermined configuration, including parameters defining, a certain identity, and the configuring includes setting, parameters in the router that assign the certain identity to the router, so that the network communication between the first network host and the router is established by the first network host recognizing the router identity (**col.2 lines 45-64, col.3 line 2-col.4 line 50 and col.5 line 11-col.6 line 61**).

d. **Claim 13** is substantially similar to claim 2 and is therefore rejected under the same basis.

e. **Per claim 3**, *Reichmeyer et al* teach the system of claim 2, wherein the configuring, includes setting parameters in the router for a network connection between the router and the second network, so that the network communication between the second network hosts and the router is established by the second network hosts recognizing the router identity via the network connection (**col.2 line 45-col.3 line 29, col.4 lines 4-50 and col.6 line 43-col.9 line 67; configuration process includes parameter-setting in the router**).

f. **Claims 14 and 23** are substantially similar to claim 3 and are therefore rejected under the same basis.

g. **Per claim 4**, *Reichmeyer et al* teach the system of claim 1, wherein the router comprises a processor, and wherein execution of the configuring instructions by the router processor automatically performs the router configuring (**col.3 line 55-col.4 line 43, col.10 lines 26-53 and col.11 lines 15-63; router comprises a process for provisioning automatic configuration**).

h. **Per claim 5**, *Reichmeyer et al* teach the system of claim 4, wherein the system comprises second configuring instructions for executing by the router processor upon booting (**col.2 line 50-col.3 line 29 and col.5 line 60-col.6 line 23; configuring instruction executed by router upon booting/powering on**).

i. **Claims 15 and 24** are substantially similar to claim 5 and are therefore rejected under the same basis.

j. **Per claim 6,** *Reichmeyer et al* teach the teach system of claim 5, wherein the router comprises a storage unit and the second configuring instructions include instructions stored in a configuration file on the router storage unit (**col.3 line 24-29, col.6 lines 17-23 and col.11 lines 29-55**).

k. **Claim 16** is substantially similar to claim 6 and is therefore rejected under the same basis.

l. **Per claim 7,** *Reichmeyer et al* teach the system of claim 5, wherein the router comprises a reader for reading a portable storage device, and the second configuring instructions include instructions stored on an external storage device readable by the router's reader (**col.3 lines 20-54, col.6 lines 17-23, col.10 lines 39-53 and col.11 lines 38-63**).

m. **Claim 17** is substantially similar to claim 7 and is therefore rejected under the same basis.

n. **Per claim 8,** *Reichmeyer et al* teach the system of claim 4, wherein the first configuring instructions include instructions for sending to the router from the first host via the first network for router processor executing (**col.5 line 11-col.6 line 23 and col.11 lines 15-63**).

o. **Per claim 9,** *Reichmeyer et al* teach the system of claim 8, wherein the first configuring instructions include parameters for performing a network login to initialize the network communication on the first network between the router and the first network host (**col.3 lines 7-29 and col.6 line 43-col.7 line 65**).

p. **Claims 18 and 25** are substantially similar to claim 9 and are therefore rejected under the same basis.

q. **Per claim 10,** *Guy et al* teach the system of claim 8, wherein the configuring instructions include configuring the router to substitute a network address of the router in place of a network address of the first network host for communicating from the first network host to one of the second network hosts (**Figure 7 and col.13 line 66-col.14 line 40; incorporating network addresses from both networks.**)

r. **Claims 19 and 26** are substantially similar to claim 10 and are therefore rejected under the same basis.

s. **Per claim 29,** *Reichmeyer et al* teach the method of 21 as applied above, yet fail to distinctly teach the computer program product of claim 21, wherein the communications module instructions are also for receiving error messages and notice of router events from the router, and the computer program product further comprises: state and status module instructions for capturing the error messages and router events. However, *Guy et al* disclose forward error correction wherein error and status messages of the router are comprised (**col.8 line 41-col.9 line 10 and col.13 line 49-col.15 line 20).**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Reichmeyer et al* and *Guy et al* for the purpose of permitting the communication of error and status messages from the router; because it would provide information regarding the state and functionality of the router which is vital to the operability of the system.

9. **Claims 11, 20 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Reichmeyer et al* (USPN 6,286,038) in view of *Isfeld et al* (USPN 5,802,278).

a. **Per claim 11,** *Reichmeyer et al* teach the system of claim 8 as applied above, yet fail to distinctly teach the system of claim 8, wherein the configuring includes configuring the router to not send addresses of nodes in the first network to other routers. However, *Isfeld et al* teach a bridge server having states “BLOCKING” or “DISABLED” which can inhibit or prohibit the transmission of addresses (**col.51 lines 33-65**).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Reichmeyer et al* and *Isfeld et al* for the purpose of permitting particular formatting configurations for the router; because it would provide extendibility for configuring the router in various modes based on the administrator options and/or preferences.

b. **Claims 20 and 27** are substantially similar to claim 11 and are therefore rejected under the same basis.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. *Tsukakoshi et al* (USPN 6,577,634) disclose a method for sharing network information and a router apparatus.
- b. *Zadikian et al* (USPN 6,724,757) disclose a configurable network router.
- c. *Radia et al* (USPN 5,848,233) disclose a method and apparatus for dynamic packet filter assignment.
- d. *Mattson et al* (USPN 5,983,269) disclose a method and apparatus for configuring routing paths of a network communicatively interconnecting a number of processing elements.
- e. *Adams et al* (US 20010042147) disclose a system-resource router.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2141

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles  
Examiner  
Art Unit 2141

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